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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: MB per Kottie DEPUTY

THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

RODNEY M. TOOTHACRE, Plaintiff, v. UNITED STATES OF AMERICA and INTERNAL REVENUE SERVICE, Defendant.	Case No: 07-cv-2289-DMS-WMC **STIPULATION AND REQUEST TO CONTINUE HEARING ON UNITED STATES' MOTION TO DISMISS** **Hearing Date:** **May 16, 2008** **Time:** **1:30 pm** **Courtroom:** **10**

The parties, by and through their respective counsel, RODNEY M. TOOTHACRE, in pro se, and CAROLINE A. NEWMAN, on behalf of Defendant the United States of America ("United States"), hereby agree and stipulate to a continuance of the hearing on the United States' Motion to Dismiss, presently set for April 25, 2008, at 1:30 p.m., until May 16, 2008, at 1:30 pm. The parties, by counsel undersigned, request an order in accordance with the foregoing.

DATED: April 21, 2008

RODNEY M. TOOTHACRE, In Pro Se
rtoothacrelaw@cox.net

DATED: April 16, 2008

CAROLINE A. NEWMAN, Trial Attorney,
Tax Division, U.S. Department of Justice
Attorney for Defendant United States of America

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Toothacre v. United States of America Case No. 07-cv-2289-DMS-WMC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing STIPULATION AND REQUEST TO CONTINUE HEARING ON UNITES STATES' MOTION TO DISMISS; [Proposed] ORDER TO CONTINUE HEARING DATE ON MOTION TO DISMISS; was this date served upon all counsel of record by placing a copy of the same in the United States Mail, postage prepaid, and sent to their last known address as follows:

Caroline A. Newman, Trial Attorney
Tax Division
U.S. Department of Justice
Post Office Box 683
Ben Franklin Station
Washington, DC 20044-0683

Karen P. Hewitt
United States Attorney
880 Front Street, Room 6293
San Diego, California 92101

San Diego, California, this 21st day of April, 2008.

Debra L. Barker for
Rodney M. Toothacre, In Pro Se